

MICHAEL DAVID STUNTZ, ET AL.,
Plaintiffs,

versus

ASHLAND ELASTOMERS, LLC, ET AL.,
Defendants.

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CASE NO. 1:14-CV-00173-MAC

**ORDER OVERRULING PLAINTIFF’S OBJECTIONS TO REPORT AND
RECOMMENDATION GRANTING DEFENDANT LION’S MOTION FOR PARTIAL
SUMMARY JUDGMENT ON PLAINTIFF STUNTZ’S RETALIATION CLAIM**

This case is assigned to the Honorable Zack Hawthorn, United States Magistrate Judge, for pre-trial management. On September 21, 2018, Judge Hawthorn entered a report (Doc. No. 268) recommending the Court grant “Defendant Lion’s Motion for Partial Summary Judgment” (Doc. No. 216) and dismiss Plaintiff Stuntz’s retaliation claims with prejudice.

A party who files timely, written objections to a magistrate judge’s report and recommendation is entitled to a *de novo* determination of those findings or recommendations to which the party specifically objects. 28 U.S.C. § 636(b)(1)(C); FED. R. CIV. P. 72(b)(2)-(3). “Parties filing objections must specifically identify those findings [to which they object]. Frivolous, conclusive or general objections need not be considered by the district court.” *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996) (en banc).

Stuntz raises three objections to Judge Hawthorn’s report, but these objections are largely a restatement of his arguments in his response and sur-reply to Lion’s Motion for Partial Summary

Judgment. *See* Doc. Nos. 226-1, 234. After considering Stuntz’s objections, the court finds they are without merit and that Judge Hawthorn’s findings and conclusions are correct.

It is, therefore, **ORDERED** that the magistrate judge’s “Report and Recommendation” (Doc. No. 268) is **ADOPTED**, Defendant Lion’s Motion for Partial Summary Judgment (Doc. No. 216) is **GRANTED**, and Plaintiff Stuntz’s individual retaliation claim under the Fair Labor Standards Act against Lion Elastomers is **DISMISSED** with prejudice.

Signed this date

Oct 17, 2018

A handwritten signature in cursive script that reads "Marcia A. Crone". The signature is written in black ink and is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE